

Surface Transportation Board, DOT

§ 1177.3

PARTS 1156–1176 [RESERVED]

**Parts 1177–1199—Finance
Procedures**

**Parts 1177–1179—Securities, Security
Interests and Financial Structures**

**PART 1177—RECORDATION OF
DOCUMENTS**

Sec.

1177.1 Definitions and classifications of documents.

1177.2 To whom documents should be submitted for recordation.

1177.3 Requirements for submission.

1177.4 Sample forms.

1177.5 Administrative procedure.

AUTHORITY: 49 U.S.C. 721, 11301.

SOURCE: 46 FR 54946, Nov. 5, 1981, unless otherwise noted. Redesignated at 47 FR 49592, Nov. 1, 1982.

**§ 1177.1 Definitions and classifications
of documents.**

(a) A “primary document” is a mortgage (excluding those under the Ship Mortgage Act of 1920, as amended—46 U.S.C. *et seq.*), lease, equipment trust agreement, conditional sales agreement, assignment of a lease or leases which have not previously been filed, or other instrument evidencing the mortgage, lease, conditional sale, or bailment of one or more vessels operated subject to Surface Transportation Board jurisdiction, railroad cars, locomotives, or other rolling stock for a use related to interstate commerce.

(b) A “secondary document” is any assignment of rights or interest, supplement, or amendment to any primary or other secondary document. These include releases, discharges, or satisfactions, either total or partial.

**§ 1177.2 To whom documents should be
submitted for recordation.**

Documents to be recorded shall be submitted in person, via the Board’s website, or by mail addressed to the Chief, Section of Administration, Office of Proceedings, Surface Transportation Board, Washington, DC 20423–0001. All documents submitted by mail

should clearly state “Documents for Recordation” on the envelope.

[74 FR 52910, Oct. 15, 2009]

§ 1177.3 Requirements for submission.

In order to be accepted for recordation, an original of any primary or secondary document must:

(a) Be in writing and executed by the parties to the document, and acknowledged or verified either in a form:

- (1) Authorized by the law of the state, territory, district or possession where executed for the acknowledgment or verification of deeds of land; or
- (2) Substantially as follows:

INDIVIDUAL FORM OF ACKNOWLEDGEMENT

I, (name of signor), certify that I am the person described in and who executed the foregoing instrument and that I acknowledge that I executed the same as my free act and deed. I further declare (certify, verify or state) under penalty of perjury (“under the laws of the United States of America” if executed outside the United States) that the foregoing is true and correct. Executed on (date).

Signature.

or;

CORPORATE FORM OF ACKNOWLEDGEMENT

I, (name of signor), certify that I am (title of office) of (name of corporation), that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that the instrument was signed and sealed on behalf of the corporation by authority of its Board of Directors, and that I acknowledge that the execution of the foregoing instrument was the free act and deed of the corporation. I further declare (certify, verify or state) under penalty of perjury (“under the laws of the United States of America” if executed outside the United States of America) that the foregoing is true and correct. Executed on (date).

Signature.

or;

- (3) Substantially as follows:

INDIVIDUAL FORM OF ACKNOWLEDGEMENT

State of _____

County of _____, ss:

On this _____ day of _____, 19____, before me, personally appeared (name of signor), to me known to be the person described in and who executed